

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PATRICIA ARTIS,

Plaintiff,

v.

GC SERVICES, LP,

Defendant.

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No.

COMPLAINT AND DEMAND FOR JURY TRIAL

PATRICIA ARTIS (Plaintiff), through her attorneys, KROHN & MOSS, LTD., alleges the following against GC SERVICES, LP, (Defendant):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
4. Defendant has its principal place of business in the state of Texas, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

PARTIES

6. Plaintiff is a natural person residing in Reno, Nevada.
7. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
8. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
9. Defendant is a national debt collection company and conducts business in Texas.

FACTUAL ALLEGATIONS

10. Defendant places collection calls to Plaintiff seeking and demanding payment for an alleged debt.
11. Defendant calls Plaintiff at (775) 691-2161 and leaves messages for Plaintiff to call (800) 846-6406.
12. On or around November 6, 2011, Defendant called Plaintiff and left a voicemail without meaningfully disclosing its identity and without disclosing that it is a debt collector. (See Exhibit A).

COUNT I

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

13. Defendant violated the FDCPA based on the following:
 - a. Defendant violated §1692d(6) of the FDCPA by failing to meaningfully disclose the identity of Defendant;
 - b. Defendant violated §1692e(11) of the FDCPA by failing to disclose to the Defendant that it is a debt collector.

WHEREFORE, Plaintiff, PATRICIA ARTIS, respectfully requests judgment be entered

against Defendant, GC SERVICES, LP, for the following:

14. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
15. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k* , and
16. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

Dated: November 23, 2011

By: /s/Michael Agruss,
Michael Agruss Esq.
Attorney for Plaintiff
CA SBN: 259567
Krohn & Moss, Ltd
120 W. Madison, 10th Floor
Chicago, Illinois 60602
Tel: 323-988-2400 x235
Fax: (866) 620-2956
Email:
magruss@consumerlawcenter.com

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, PATRICIA ARTIS, demands a jury trial in this case.

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF TEXAS

Plaintiff, PATRICIA ARTIS, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, PATRICIA ARTIS, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

11/11/2011

Date

PATRICIA ARTIS

EXHIBIT A

This message is for Patricia Artis, Jeff Artis or Gary Artis.
This is Sheryl _____ please return my business call to 1-800-
846-6406, extension 5785. Thank you.